**UNITED STATES DISTRICT COURT**
**SOUTHERN DISTRICT OF NEW YORK**

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| IN RE "A MILLION LITTLE PIECES" LITIGATION | No. 06-md-1771<br>Hon. Richard J. Holwell |

**REPLY DECLARATION OF EVAN J. SMITH, ESQUIRE IN FURTHER SUPPORT OF AMLP PLAINTIFFS' GROUP'S MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT, CERTIFICATION OF SETTLEMENT CLASS, AND APPROVAL OF NOTICE PLAN**

I, Evan J. Smith, Esquire, hereby declares:

1. I am an attorney, duly licensed and admitted to practice law in the State of New York and in this Court. I am a partner in the law firm of Brodsky & Smith, LLC, counsel for Plaintiff Michele Snow in these coordinated proceedings. I have personal knowledge of the facts set forth in this Declaration. If called upon and sworn as a witness, I could and would competently testify to these facts.

2. Attached hereto as Exhibit "1" is a true and correct copy of Rust Consulting firm's profile.

3. Attached hereto as Exhibit "2" is a true and correct copy of Kinsella/Novack Communications, Inc.'s firm profile.

4. Attached hereto as Exhibit "3" is a true and correct copy of a template for the *"A Million Little Pieces"* Settlement website

5. Attached hereto as Exhibit "4" is a true and correct copy of the *New York Times* September 6, 2006 article (on the New York Times website) about the proposed settlement.

6. Attached as Exhibit "5" is a true and correct copy of the Google search results of "A Million Little Pieces" and "Settlement", as well as the Google search results for A Million

Little Pieces Settlement. On February 7, 2008 I personally performed both of these Google searches.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated: January 8, 2007

*/s Evan J. Smith, Esquire (ES3254)*
Evan J. Smith, Esquire (ES3254)